

REMARKS

Favorable reconsideration, in light of the preceding amendments and following remarks, is respectfully requested. Claims 51-59 and 66-68 are pending in the current application. By this Amendment, claims 51, 54 and 57 are amended, claims 66-68 are added, and claims 60-65 have been cancelled. Claims 51, 54 and 57 are the independent claims.

Examiner Interview

Applicants thank the Examiner for granting the telephone interview conducted on February 3, 2011. During the interview, Applicants discussed proposed amendments to the independent claims and the rejection to the pending claims under Section 112, first paragraph. Although no agreement was reached, Applicants appreciate the Examiner's time and effort in discussing this application. However, during the interview, the Examiner suggested that Applicants incorporate the features of FIG. 9 of the specification so that prosecution in this application may be expedited. In accordance with this suggestion, Applicants have amended the independent claims to further include features, that are shown in FIG. 9 of the present application. Also, Applicants submit that the amendments to the independent claims overcome the rejection under Section 112, as further explained below.

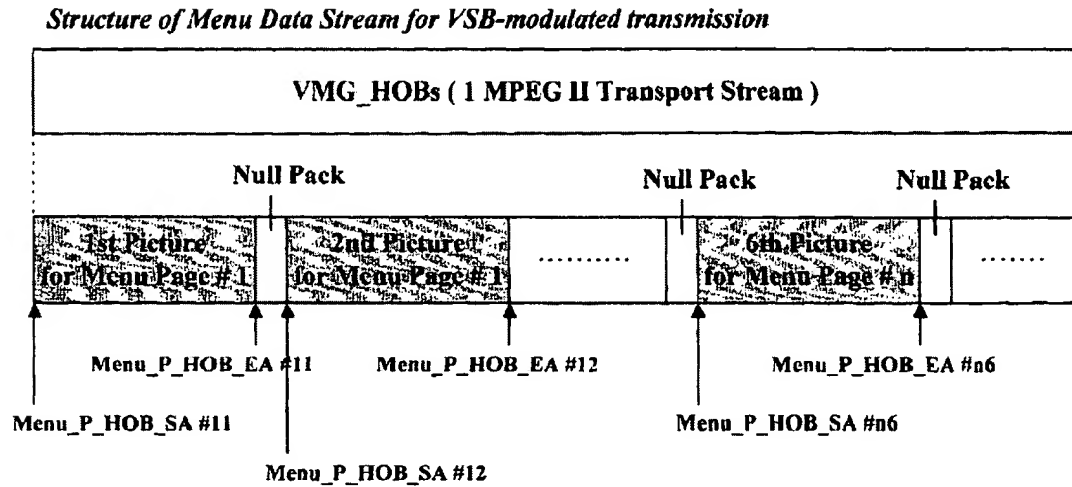
Claim Rejections – 35 U.S.C. §112

The Examiner has rejected claims 51-65 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. For instance, the Examiner alleges that the feature “second size information setting a data size allocated to record the thumbnail picture” as previously recited in independent claims 51, 54, 57, 60 and 63 is not supported in the specification. The Examiner states “[w]hile size of the thumbnails could later be inferred from the address information, there is absolutely no disclosure of the system recording size information allocation the data size to record the thumbnail image.” Office Action, pages 3-4. Applicants disagree.

Initially, Applicants note that independent claim 51 has been amended to further clarify its feature. For example, claim 51 recites, *inter alia*, “the menu management information including at least one of first size information and second size information” and “the first size information indicating an actual data size of each thumbnail picture, the second size information indicating a data size of a data block into which the thumbnail picture is stored.” Support for these features is further explained below.

The feature “first size information indicting an actual data size of each thumbnail picture” is supported by at least at FIG. 8 and paragraphs [0052-0053] of the specification as filed. FIG. 8 is reproduced below.

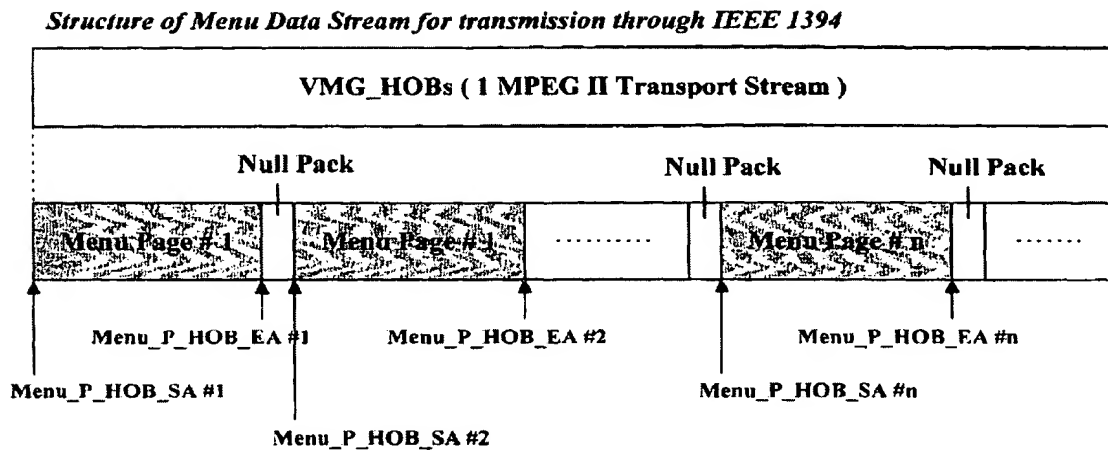
FIG. 8



For instance, "the first size information" of claim 51 may read on Menu_P_HOB_SA#11 and Menu_P_HOB_EA#11 of FIG. 8, which indicates an actual size of the thumbnail picture (e.g., 1st picture for menu page #1).

The feature "second size information indicating a data size of data block into which the thumbnail picture is stored" is supported by at least FIG. 10 and paragraphs [0058-0059] of the specification as filed. FIG. 10 is illustrated below.

FIG. 10



For instance, “the second size information” of claim 51 may read on Menu_P_HOB_SA#1 and Menu_P_HOB_EA#1 of FIG. 10, which indicates a data size of data block (e.g., menu page #1) into which the thumbnail picture (i.e., 1st picture for menu page #1) is stored.

Also, Applicants direct the attention of the Examiner to Section 2163 of the MPEP, which states “[w]hile there is no in haec verba requirement, newly added claim limitations must be supported in the specification through express, implicit, or inherent disclosure.” It is certainly implied that the size of menu page #1, which stores the thumbnail pictures, may be represented by the start and end address as shown above. In other words, one of ordinary skill in the art would recognize that the inventor of the present application had possession of the “size” of menu page #1 by the disclosure of the start and end addresses because the start and end addresses *certainly* indicates the size of a menu page.

Furthermore, as shown in FIGS. 8 and 10, the padding data (e.g., null pack) is recorded in between thumbnail pictures taking into account the size of the thumbnail picture and the size of the menu page that contains the thumbnail picture.

During the interview, the Examiner indicated that the specification does not appear to support the fact that menu management information may include both "first size information" and "second size information." Applicants disagree. However, in an effort to expedite prosecution in this application, Applicants have amended independent claim 51 to remove such an interpretation. For example, claim 51 recites "the menu management information including at least one of first size information and second size information." Therefore, this issue is rendered moot.

Independent claims 54 and 57 have been amended to recite features similar to the above-identified features of claim 51. Therefore, Applicants respectfully request that the rejection under Section 112 be withdrawn.

Furthermore, as indicated above, Applicants have amended independent claim 51 to include features from FIG. 9 of the specification as filed. For example, claim 51 further recites "at least one thumbnail picture in the menu data file is selected based on a user selection and reproduced based on the menu management information", "wherein the selected thumbnail picture includes an intra-coded picture (I-picture) and one or more predictive coded pictures (P-pictures)", and "wherein the selected thumbnail picture is displayed by sequentially transmitting the I-picture and the P-pictures." These features

reflect how the menu picture (including an I-picture and one or more P-pictures) is displayed by sequentially transmitting the I-picture and the P-pictures. Support for these amendments is provided at page 11, line 15 to page 12, line 15 and FIG. 9 of the specification as filed. None of the cited references illustrate these features.

Independent claims 54 and 57 have been amended to recite features similar to the above-identified features of claim 51. Therefore, Applicants respectfully request that the pending claims be allowed.

New Claims

New claims 66-68, dependent on claims 51, 54 and 57, are patentable for at least the same reasons stated above. Support for these claims is provided at least at page 11, line 15 to page 12, line 15 and FIG. 9 of the specification as filed. As such, Applicants respectfully request that these claims be allowed, as well.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a two (2) month extension of time for filing a reply to the outstanding Office Action and submit the required \$490.00 extension fee herewith.

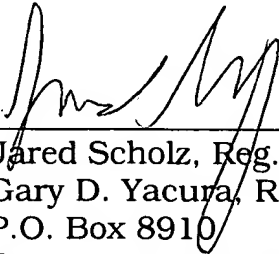
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Jared Scholz at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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